

Amendments to the Claims

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims

1. (Original) A latchless controller positioning system for a work vehicle, the work vehicle having a floor, the controller positioning system comprising:
 - a mounting bracket having a first mounting bracket end and a second mounting bracket end, the first mounting bracket end attached to the floor;
 - a controller tower, capable of moving to a first position and a second position, the controller tower having a first controller tower end and a second controller tower end, the first controller tower end pivotally mounted to the mounting bracket;
 - a controller assembly physically constrained at the second controller tower end; and
 - a resistive element having a first element end and a second element end, the resistive element being strategically mounted to the controller tower and the mounting bracket to provide resistance to a movement of the controller tower and a toggle effect as the controller tower is moved between the first position and the second position.
2. (Original) The latchless controller positioning system of claim 1, wherein the resistive element is a compressive element.
3. (Currently amended) The latchless controller positioning system of claim 2, wherein the controller tower moves through an intermediate position as it moves between the first position and the second position, the compressive element providing substantially no resistance to the movement of the controller tower at the intermediate position, the compressive element biasing the controller tower toward a direction of movement as the controller tower moves beyond the intermediate position.
4. (Original) The latchless controller positioning system of claim 2, wherein the compressive element is a strut.
5. (Original) The latchless controller positioning system of claim 2, wherein the

compressive element is a gas filled strut.

6. (Original) The latchless controller positioning system of claim 1, further comprising an armrest at the second controller tower end.

7. (Original) The latchless controller positioning system of claim 6, wherein a height of the armrest is adjustable.

8. (Original) The latchless controller positioning system of claim 1, wherein the work vehicle is a loader backhoe.

9. (Original) The latchless controller positioning system of claim 8, wherein the first position is a stow position and the second position is an operating position.

10. (Original) The latchless controller positioning system of claim 1, wherein the first element end is mounted to the mounting bracket and the second element end is operatively attached to the controller tower.

11. (Original) A work vehicle having a frame, a floor and a controller positioning system, the controller positioning system comprising:

a mounting bracket having a first mounting bracket end and a second mounting bracket end, the first mounting bracket end attached to the floor;

a controller tower, capable of moving to a first position and a second position, the controller tower having a first controller tower end and a second controller tower end, the first controller tower end pivotally mounted to the second mounting bracket end;

a controller assembly physically constrained at the second controller tower end; and

a resistive element having a first element end and a second element end, the resistive element being strategically mounted to the controller tower to provide a toggle effect as the controller tower is moved between the first position and the second position.

12. (Original) The work vehicle of claim 11, wherein the resistive element is a compressive element.

13. (Currently amended) The work vehicle of claim 12, wherein the controller tower moves through an intermediate position as it moves between the first position and the second position, the compressive element providing substantially no resistance to the movement of the controller tower at the intermediate position, the compressive element biasing the controller tower toward a direction of movement as the controller

tower moves beyond the intermediate position.

14. (Original) The work vehicle of claim 12, wherein the compressive element is a strut.

15. (Original) The work vehicle of claim 12, wherein the compressive element is a gas filled strut.

16. (Original) The work vehicle of claim 11, further comprising an armrest at the second controller tower end.

17. (Original) The work vehicle of claim 16, wherein a height of the armrest is adjustable.

18. (Original) The work vehicle of claim 11, wherein the work vehicle is a loader backhoe.

19. (Original) The work vehicle of claim 18, wherein the first position is a stow position and the second position is an operating position.

20. (Original) The work vehicle of claim 11, wherein the first element end is mounted to the mounting bracket and the second element end is operatively attached to the controller tower.

21. (Original) A method of positioning a controller for a work vehicle, the work vehicle having a dual position swivel seat capable of moving between a first swivel seat position and a second swivel seat position, a frame, a floor and a controller positioning system, the controller positioning system comprising a mounting bracket having a first mounting bracket end and a second mounting bracket end, the first mounting bracket end rigidly attached to the floor; a controller tower, the controller tower capable of moving to a first controller tower position and a second controller tower position, the controller tower having a first controller tower end and a second controller tower end, the first controller tower end pivotally mounted to the mounting bracket; a controller attached to the second controller tower end, an armrest attached to the second controller tower end; and a resistive element having a first element end and a second element end, the resistive element strategically mounted to the controller tower and the mounting bracket to provide a toggle effect as the controller tower is moved between the first position and the second position, the resistive element providing a resistance to a movement of the controller tower, the method including:

applying a directional load to the controller tower from one of the first

controller tower position and the second controller tower position toward another of the first controller tower position and the second controller tower position, the directional load being sufficient to overcome the resistance from the resistive element and to move the controller tower toward the other of the first controller tower position and the second controller tower position;

maintaining the directional load until the resistive element biases the controller tower toward the other one of the first controller tower position and the second controller tower position.

22. (Currently amended) The method of claim 21, wherein the resistance from the resistive element to a movement away from the one of the first controller tower position and the second controller tower position decreases between the one of the first controller tower position and the second controller tower position and an intermediate position located between the first controller tower position and the second controller tower position and, wherein the resistive element biases a movement away from the intermediate position toward either the first controller tower position or the second controller tower position as the controller tower moves beyond the intermediate position.

23. (Currently amended) The method of claim 21, wherein the controller tower moves through an intermediate position as it moves between the first position and the second position, the resistive element providing substantially no resistance to the movement of the controller tower at the intermediate position, the resistive element providing the greatest resistance to movement of the controller tower at the first position and the second position.

24. The method of claim 21, wherein the first position is a stow position and the second position is an operating position.

25. (Currently amended) A method of positioning a controller assembly for a work vehicle, the work vehicle having a dual position swivel seat capable of moving between a first swivel seat position and a second swivel seat position, a frame, a floor and a controller positioning system, the controller positioning system comprising a mounting bracket having a first mounting bracket end and a second mounting bracket end, the first mounting bracket end rigidly attached to the floor; a controller tower, the controller tower capable of moving to a first controller tower position and a second controller tower position, the controller tower having a first controller tower

end and a second controller tower end, the first controller tower end pivotally mounted to the mounting bracket; a controller attached to the second controller tower end, an armrest attached to the second controller tower end; and a strut having a first strut end and a second strut end, the strut strategically mounted to the controller tower to provide a toggle effect as the controller tower is moved between the first position and the second position, the strut providing a resistance to a movement of the controller tower, the method including:

applying a directional load to the armrest and toward one of the first controller tower position and the second controller tower position, the directional load being sufficient to overcome the resistance from the strut and to move the controller tower toward the one of the first controller tower position and the second controller tower position; and

maintaining the directional load until the controller tower moves to the one of the first controller tower position and the second controller tower position.

26. (New) A latchless controller positioning system for a work vehicle, the work vehicle having a floor, the controller positioning system comprising:

a mounting bracket having a first mounting bracket end and a second mounting bracket end, the first mounting bracket end attached to the floor;

a controller tower, capable of moving to a first position and a second position, the controller tower having a first controller tower end and a second controller tower end, the first controller tower end pivotally mounted to the mounting bracket;

a controller assembly physically constrained at the second controller tower end; and

a resistive element having a first element end and a second element end, the resistive element being strategically mounted to the controller tower and the mounting bracket to provide resistance to a movement of the controller tower and a toggle effect as the controller tower is moved between the first position and the second position, wherein the resistive element is a compressive element and wherein the controller tower moves through an intermediate position as it moves between the first position and the second position, the compressive element providing substantially no resistance to the movement of the controller tower at the intermediate position.

27. (New) A work vehicle having a frame, a floor and a controller positioning

system, the controller positioning system comprising:

a mounting bracket having a first mounting bracket end and a second mounting bracket end, the first mounting bracket end attached to the floor;

a controller tower, capable of moving to a first position and a second position, the controller tower having a first controller tower end and a second controller tower end, the first controller tower end pivotally mounted to the second mounting bracket end;

a controller assembly physically constrained at the second controller tower end; and

a resistive element having a first element end and a second element end, the resistive element being strategically mounted to the controller tower to provide a toggle effect as the controller tower is moved between the first position and the second position, wherein the resistive element is a compressive element and wherein the controller tower moves through an intermediate position as it moves between the first position and the second position, the compressive element providing substantially no resistance to the movement of the controller tower at the intermediate position.

28. (New) A method of positioning a controller for a work vehicle, the work vehicle having a dual position swivel seat capable of moving between a first swivel seat position and a second swivel seat position, a frame, a floor and a controller positioning system, the controller positioning system comprising a mounting bracket having a first mounting bracket end and a second mounting bracket end, the first mounting bracket end rigidly attached to the floor; a controller tower, the controller tower capable of moving to a first controller tower position and a second controller tower position, the controller tower having a first controller tower end and a second controller tower end, the first controller tower end pivotally mounted to the mounting bracket; a controller attached to the second controller tower end, an armrest attached to the second controller tower end; and a resistive element having a first element end and a second element end, the resistive element strategically mounted to the controller tower and the mounting bracket to provide a toggle effect as the controller tower is moved between the first position and the second position, the resistive element providing a resistance to a movement of the controller tower, the method including:

applying a directional load to the controller tower from one of the first controller tower position and the second controller tower position toward another of the first controller tower position and the second controller tower position, the directional load being sufficient to overcome the resistance from the resistive element and to move the controller tower toward the other of the first controller tower position and the second controller tower position;

maintaining the directional load until the resistive element biases the controller tower toward the other one of the first controller tower position and the second controller tower position, wherein the resistance from the resistive element to a movement away from the one of the first controller tower position and the second controller tower position decreases between the one of the first controller tower position and the second controller tower position and an intermediate position located between the first controller tower position and the second controller tower position and, wherein the resistive element biases a movement away from the intermediate position toward either the first controller tower position or the second controller tower position.

29. (New) A method of positioning a controller for a work vehicle, the work vehicle having a dual position swivel seat capable of moving between a first swivel seat position and a second swivel seat position, a frame, a floor and a controller positioning system, the controller positioning system comprising a mounting bracket having a first mounting bracket end and a second mounting bracket end, the first mounting bracket end rigidly attached to the floor; a controller tower, the controller tower capable of moving to a first controller tower position and a second controller tower position, the controller tower having a first controller tower end and a second controller tower end, the first controller tower end pivotally mounted to the mounting bracket; a controller attached to the second controller tower end, an armrest attached to the second controller tower end; and a resistive element having a first element end and a second element end, the resistive element strategically mounted to the controller tower and the mounting bracket to provide a toggle effect as the controller tower is moved between the first position and the second position, the resistive element providing a resistance to a movement of the controller tower, the method including:

applying a directional load to the controller tower from one of the first

controller tower position and the second controller tower position toward another of the first controller tower position and the second controller tower position, the directional load being sufficient to overcome the resistance from the resistive element and to move the controller tower toward the other of the first controller tower position and the second controller tower position;

maintaining the directional load until the resistive element biases the controller tower toward the other one of the first controller tower position and the second controller tower position, wherein the controller tower moves through an intermediate position as it moves between the first position and the second position, the resistive element providing substantially no resistance to the movement of the controller tower at the intermediate position.